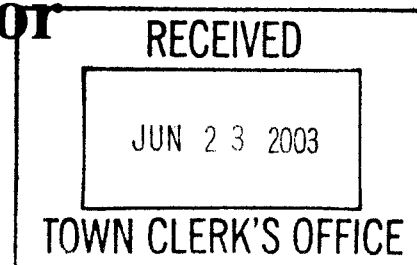




Town of New Windsor

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OFFICE OF THE PLANNING BOARD



WEDNESDAY — JUNE 25, 2003 - 7:30 PM
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: MAY 14, 2003

PUBLIC HEARINGS:

1. **MEADOWBROOK ESTATES SUBDIVISION (PUBLIC HEARING #2) RT. 94 & MT. AIRY ROAD (NEW HORIZON)** Proposed 74-lot residential subdivision.

REGULAR ITEMS:

2. **FIRST COLUMBIA – PARCEL M SUBDIVISION (03-201) 555 HUDSON VALLEY AVE. (BETTE)**
3. **FIRST COLUMBIA SITE PLAN (03-202) 555 HUDSON VALLEY AVE – MEDICAL OFFICE (BETTE)** Proposed 47,000 sf medical office building.
4. **H.R. & C OF NEW YORK SUBDIVISION (#02-09) UNION AVENUE (HILDRETH)** Proposed 2 lot commercial subdivision.
5. **CHEVRON / GRETAG SITE PLAN (#03-14) LITTLE BRITAIN ROAD (HOFFMANN)** Chevron Texaco proposing to relocate research facility to Macbeth site.
6. **STEVENSON LUMBER (#03-15) WINDSOR HIGHWAY (CHAZEN)** Proposed one-story steel storage building.

DISCUSSION

7. **PATRIOT ESTATES (01-66)** Proposed residential subdivision (Shaw)
8. **PATRIOT BLUFF (01-65)** Proposed condominium project (Shaw)

ADJOURNMENT

(NEXT MEETING – July 9, 2003)

TOWN OF NEW WINDSOR

PLANNING BOARD

JUNE 25, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JERRY ARGENIO
THOMAS KARNAVEZOS
NEIL SCHLESINGER
ERIC MASON

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

ABSENT: JIM BRESNAN
RON LANDER

REGULAR MEETING

MR. PETRO: I'd like to call the June 25, 2003 meeting
of the Town of New Windsor Planning Board to order.
Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was
recited.)

APPROVAL OF MINUTES DATED MAY 14, 2003

MR. PETRO: Has everyone had a chance to read the minutes dated May 14, 2003?

MR. ARGENIO: I'll make a motion that we approve the minutes as written.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept those minutes as written. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

PUBLIC HEARINGS

MEADOWBROOK ESTATES SUBDIVISION

MR. PETRO: Meadowbrook Estates subdivision public hearing on Route 94. Proposed 74 lot residential subdivision. Is someone here to represent this?

John Cappello, Esq. appeared before the board for this proposal.

MR. CAPPELLO: I'm here, my client should be in about five minutes, if you want to jump to the next one that would be okay.

MR. PETRO: Okay.

REGULAR ITEMS:

FIRST COLUMBIA - PARCEL M SUBDIVISION (03-201)

Mr. Chris Bette appeared before the board for this proposal.

MR. PETRO: First Columbia, proposed subdivision of Parcel M, currently 18.2 acres into two commercial lots. Application is before the board for site plan development of 555 Hudson Valley Avenue in a AP Zone, which is the Airport zone. There appears to be no technical concerns with regard to this minor subdivision, some minor plan corrections are needed as follows and you can get into them with Mark. Just bring us up to date briefly what you're doing there.

MR. BETTE: Okay, we're proposing to start the engineering review on the next building at New York International Plaza, going to be located just south of the existing medical building on Hudson Valley Avenue right across the street from the LSI facility just to get yourself oriented, this is 207, medical building, the other parcel, this is the proposed 555 Hudson Valley Avenue office building. It's currently a portion of a larger Parcel M, we're planning on creating approximately 4 acre parcel to support a 47,000 square foot office building, two story. You want, would you like me to get into the site plan stuff too?

MR. PETRO: No, we're going to do this first, then we'll go into that next. Mark, we're not creating any non-conforming setbacks by creating this lot?

MR. EDSALL: No, as a matter of fact, it's just as Chris indicated a minor subdivision, I'm not aware of any problems. The reason I'm trying to fine tune the information on the plan is that we're going to go through a bunch of these so Chris we're trying to

standardize how we treat them, so I have a couple minor corrections that are not really too drastic, we really can't do anything more with it tonight, other than just introduce it because we're still in the middle of the SEQRA process, as you notice in comment F, you may want to hold off on until we're done with SEQRA.

MR. PETRO: I don't think the SEQRA process would really complicate the adding the line subtracting the line to the paper, in other words, we're not really doing anything in the field, just going to take the large lot and make a smaller lot.

MR. EDSALL: But it's still an action under SEQRA so under the law, you cannot do it when you have the open issues.

MR. PETRO: So why are we here? What are we doing?

MR. BETTE: We want to get the ball rolling, we want to get the approvals just to authorize Mark to start looking at the site plan, engineering.

MR. EDSALL: Next one's more important.

MR. PETRO: I can see that this seems to be okay, I'll just be nice, let's go on to the second one.

FIRST COLUMBIA SITE PLAN (03-202)

MR. PETRO: Second on tonight's agenda is First Columbia site plan on 555 Hudson Valley proposed 47,000 square foot medical office building on the supposed lot that we were just going to create but we can't because of the law at this time. This application proposes development of the subdivided parcel from application 03-201 as an office building. The site appears to comply with the bulk requirements for a P1 zone and use A4. Required values in the bulk table are correct, although some corrections are needed to be for the provided values, get together with Mark on that. Okay, Chris, why don't you just go over it briefly, might as well not take a lot of time because we're not going to go anywhere.

MR. BETTE: We're not looking for any action this evening, we're just here today to introduce the project at least get started with the site plan review for the engineering, again, the parcel is located just north of medical building, the existing medical building is on this side of the sheet, 207 is over here located on Hudson Valley Avenue across the street from the LSI facility. It's a two story general office building we're going to have a combination of uses in here, there are, we do have a little bit of medical use planned but the majority of the building will be just general office.

MR. PETRO: Similar type building as the one that's already built?

MR. BETTE: It's going to be very similar colors, two story glass, we haven't come to a firm conclusion on what the elevation is going to look like at this point but we're going to mimic what was done closely to the medical building. Water and sewer are in the street, Hudson Valley avenue has a new 12 inch water line, Avenue of the Americas has the existing sanitary sewer,

storm water is going to be handled on site or on the larger parcel. The plan is very, it is consistent with what we presented in our environmental review for the entire redevelopment. The use is office again.

MR. PETRO: Chris, the drainage water, I see you have a catch basin, where does that ultimately go?

MR. BETTE: We're designing with this plan a temporary water quality basin just to the east side of--

MR. PETRO: Underground or above ground?

MR. BETTE: It's going to be above ground, this side of the parcel drops off probably about 20 feet we're going to utilize that slope to channel the water down, get the water quality that we need to maintain for the new Phase 2 storm water regulations and we're going to discharge into our parcel here.

MR. PETRO: It's above ground you said temporary, where is it going to go?

MR. BETTE: If you recall in the overall redevelopment plan we had four regional storm water basins, the regional basin for this area is probably a couple hundred feet to the east of where this building is, to not try to out guess ourselves on how to get the water to that area, we're going to do a temporary basin and to the main basin when we figure out what's going to occur on this other remaining acres.

MR. PETRO: If the basin should fill up like with the rain we just had, where is the outflow?

MR. BETTE: The basins that we're designing will contain the water so that it will go into our parcel just as pre-development flows.

MR. PETRO: Any of the board members have any questions

at this time? It's a little premature, I was looking at it for the first time, it's a large building but it does look rather straightforward, parking requirements are going to be met, not looking for a variance for anything, correct?

MR. BETTE: No, no, we have enough parking.

MR. PETRO: You're going to do a lighting plan?

MR. BETTE: There's a lighting plan with the set of drawings.

MR. PETRO: And landscaping?

MR. BETTE: There's also a landscape plan with your drawings.

MR. PETRO: Mark, do you have anything you want to bring up? There's quite a few of Mark's comments, I didn't want to get into all of them tonight.

MR. EDSALL: They're all very minor, I think that the plans in general are very responsive to the level of treatment the board wants for lighting and landscaping. The only comment that Henry Kroll and I were both in agreement on and we've talked to Chris about it is because Hudson Valley Avenue is going to be the main access as it may be into this portion of New York International Plaza, if not the entire plaza, we'd really like to limit the number of curb cuts, so we're looking to eliminate the one nearest the intersection and at least try to keep that intersection a little less difficult to maneuver through. So Chris is going to look at that.

MR. SCHLESINGER: But we don't see a problem if this building has--

MR. PETRO: \$20 a foot for curbing, be happy.

MR. SCHLESINGER: Is the entrance of 207 and Hudson Valley Avenue complete, traffic light, right turn lane?

MR. BETTE: Yes, it's a hundred percent, the signal's operational and we've got a little landscaping to do there but other than that, it's functional, traffic's flowing.

MR. PETRO: One of the little mini parks still scheduled for that?

MR. BETTE: Correct.

MR. PETRO: Who's working on that?

MR. BETTE: Henry.

MR. PETRO: Anything else?

MR. BETTE: No, we're not looking for any action, we're just introducing the project.

MR. PETRO: I don't think we can do a damn thing anyway sitting here like a bump on a log, just get together with Mark and go over the comments.

MR. BETTE: Very good.

MR. PETRO: Okay.

H.R. & C. OF NEW YORK SUBDIVISION (#02-09)

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: Application involves subdivision of 8 1/4 acre parcel into 2 commercial lots. The plan was previously reviewed at the 24 April, 2002 planning board meeting. Moving right along?

MR. HILDRETH: Yeah.

MR. PETRO: Property is located in the C zone plan, includes bulk tables for both lots. Some corrections are needed, get together with Mark. Application referred to New York State DOT on 13 May, 2002 has now apparently been resolved.

MR. HILDRETH: Fine.

MR. PETRO: And then we have Highway approval on 6/23/2003 and Fire approved on condition the following is addressed, the access to this site must be addressed during the site plan review, I guess that's what we're doing.

MR. HILDRETH: That's subdivision, any further development of the vacant parcel being created would obviously come back through with an application.

MR. PETRO: Well, he's stating the obvious as far as I'm concerned.

MR. HILDRETH: Right, he actually called me up and spoke to me about that and I said if that's what you want to say, that's fine, long story made short, this is the same subdivision plan that was first seen 14 months ago. The only change is the addition of the highway details which were eventually hammered out with the DOT. It necessitated using a larger piece of paper

because of all the details but it's the same subdivision plan, no change. The board declared lead agency and withheld anything else until they heard from DOT.

MR. ARGENIO: This is no left turn.

MR. HILDRETH: Same thing as Applebee's, one way in, one way out, right turn only.

MR. PETRO: That's pretty miserable, isn't it?

MR. ARGENIO: I would say.

MR. HILDRETH: One way in, one way out, it's a safety issue.

MR. PETRO: I'm just saying if I'm a visitor to whatever you're doing there, it's pretty annoying, even when I go to Applebee's, I don't want to go that way.

MR. HILDRETH: It's not the only way in and out, the existing road that's there has an access through Johnny D's so they've got two ways in and out.

MR. PETRO: The access through Johnny D's, is that going to be part of an easement?

MR. HILDRETH: The easement exists.

MR. EDSALL: As with the last application we had that put in just to cover this possibility you guys were thinking of when the last application came in.

MR. HILDRETH: When the subdivision was made for Johnny D's that's when that was done.

MR. EDSALL: That's when the thought process started.

MR. PETRO: Because Johnny D's can change ownership and

say hey, you can't go through there now, they can't change it, I wondered if they disclosed that, by the way, do you know there's an easement through your property.

MR. HILDRETH: Absolutely.

(Whereupon, Mr. Krieger entered the room.)

MR. PETRO: What's it going to be used for?

MR. HILDRETH: I don't know yet, creating the parcel so it can be developed.

MR. PETRO: Any non-conforming setbacks, Mark?

MR. EDSALL: No, I think the only open issue from the old meeting was getting the DOT to write off on it and unfortunately, it took this long, comments 3, 4 and 5 if Myra can just check where we stand on some of those procedurally.

MR. PETRO: Sewer lines, remember they were all moved at one time, no affect on this at all.

MR. HILDRETH: No, those were moved in an effort to make both Johnny D's parcel and this one, give it as much room as possible because where it was before it was pitching it toward Union Avenue.

MR. PETRO: Motion for negative dec.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare negative dec for the H.R. & C. minor subdivision on Union Avenue. Is there any further discussion from the board members? If not,

roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: There's no other outstanding comments, the bulk tables, some corrections are needed, work that out with Mark.

MR. HILDRETH: Yes, not a problem, just couple of additions to the table.

MR. PETRO: With that, I'll entertain a motion for final approval.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the H.R. & C. minor subdivision on Union Avenue. Any further discussion from the board members? If not, roll call. You have to take those two notes from Mark and square them up, okay?

MR. HILDRETH: Yes, sir.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

PUBLIC HEARING - MEADOWBROOK ESTATES

John Cappello, Esq. appeared before the board for this proposal.

MR. PETRO: Public hearing, Meadowbrook Estates subdivision, Route 94, Mt. Airy Road. The proposal is for 74 lot residential subdivision the. Reason that we're having a second public hearing and I do want to thank the applicants very much for not objecting to it because I had requested it was because some of the information that I gave out at the last meeting is going to be changed and I wanted all the people who were involved and who live in Mt. Airy Estates to have a chance to speak again. And that's why it's a double public hearing. And again, I want to thank the applicant and the owner for graciously coming back in. Why don't you just bring us up to date what we're doing overall, just very briefly, we've seen it I think 12 times.

MR. CAPPELLO: Yeah, this is a subdivision, it's bisected by the Town line, the Town of New Windsor and the Town of Cornwall off of New York State Route 94, Meadowbrook Estates is west of the existing Meadowbrook Lodge. The access will be off of 94 through this road through the Town of New Windsor and then there will be 90 lots total, the lots in New Windsor we had went through an agreement to reduce the number we can have based on a formula that the property's split by a zoning district. The only issue left from the last public hearing there was concern about connection to Mt. Airy Estates, we stated that we were going to, we could go either by this road here would connect with the access into Mt. Airy Estates, you know, and there were concerns about it being the through road through, but the consensus I believe now is for safety purposes for traffic flow there should be a connection there. So we have shown the connection. That's the only change in the map from the, which is not even a change.

MR. WEINBERGER: We said we'd take it off in response but in order so there's a full discussion because we did say at that meeting we could take it off and make it just an emergency access, there was some discussion as to keep it a full access so in order to keep the discussion and allow people to comment on that issue, we're keeping it now as a through road.

MR. PETRO: I don't think we have any other issues so to, I'm going to open it up to the public. This is a public hearing. On the 10th day of June, 2003, 24 addressed envelopes were mailed out with the notice of public hearing. If someone would like to speak, be recognized by the chair, state your name and address and your concerns.

MS. KELEIT: Laura Jean Keleit (phonetic). Yeah, at the last meeting, the proposal was that was going to be an emergency access road, that's what I want, I mean, I don't want this as a through road. This is going to be a cut through for people. This is going to become another entrance. We have our two entrances into our development, we don't need a third, people coming through, finding a short cut. I don't oppose the subdivision, that's how I got my house. I have no problem with them building more homes back there, another community, but I do have a problem with that becoming a longer, a dead-end street or an emergency access, it will be a reason for people to go through, high school kids cutting through there, it doesn't matter, nobody looks to sit at traffic lights and people will go any way, even if their car is moving and it took them just as much time sitting at a traffic light as it did to cut through all the lights, when your car is moving, you don't think it takes that long. I have young children, children all over that community.

MR. PETRO: What had happened was if you remember last

public hearing, we, the board didn't agree or disagree with you, we were kind of trying to find a happy medium and what had happened it turned really into a safety issue and I'll tell you with who, with the New Windsor Police, I have a letter which I'm going to get to, then it turned into another issue with the ambulance, the Fire Department got involved and the Highway Department and I have three letters here which I can read them into the minutes, but I think I'm going to just give you the gist of it is they want it to be a full access road strictly for safety reasons. And you can say well, what safety reason. I think they would be apparent and it's really when it comes to safety, there's not much that we as a board, I can't argue with them, in other words, if I'm leaning either way, I can, we'd like to see all the roads open for full access, that just, really, when I got back the next day and I had about 5 phone calls, it just put us over the top to where we need to have it open as a full access road. I don't believe that you're going to get actual traffic, this is my own opinion, probably doesn't mean much from 94 to Mt. Airy Road because anybody who thinks that that's going to be a short cut I think needs to go see a psychiatrist. But I do believe you'll get some traffic from the internal people who live right there. But I don't see where that would be that difficult. The stub of the road I believe is already in place, there's already a stub there so there should be some indication to the people who purchased around there that that could have been an access point at some time, I'm not saying that makes you feel any better or worse, I'm just pointing it out as a fact and it's really out of our hands. But I wanted to give you the time and the opportunity to understand why we were doing it just not that when it was construction started that you saw an open road because it was not what we had said at the last meeting but it was still somewhat under review. We were going to look into it, I thought a crash gate could work but, obviously, it won't.

MS. KELEIT: Are they putting a light by the high school by any chance?

MR. PETRO: Yes.

MS. KELEIT: That's just going to cause more traffic.

MR. PETRO: Someone else like to speak?

MR. ED HAKJ: My name is Eddy Hakj, I reside at 2311 Pioneer Trail. Where is the connection now? What's this here?

MR. PETRO: This is just a property line. This is the existing development and here's the stub road.

MR. HAKJ: This is Pioneer Trail?

MR. BABCOCK: That's the park.

MR. HAKJ: I'm right by the gate right by the road and I've got two kids. That's what I'm concerned about.

MR. BABCOCK: You're the last house in there?

MR. HAKJ: Yes, sir.

MR. BABCOCK: Right where his finger is that's your lot?

MR. HAKJ: I've got a 7 year old who has severe hemophilia and we were happy with the crash gate. Now this thing, it's not fair.

MR. PETRO: Well, again, when you purchased your house--.

MR. HAKJ: Nobody told us nothing.

MR. PETRO: You can see a map and there was a stub road

there.

MR. HAKJ: It was when I purchased mine it was woods.

MR. PETRO: You probably wouldn't know then so that doesn't make it right or wrong. I'm just trying to, I live down on Route 32, if you think you're worse off than I am and I have a 6 and 9 year old so it's bad all over the place.

MR. HAKJ: I'm concerned about his kid, he's 7 years old, he can get hurt really bad. People are going to come right through it, it's going to be a short cut, believe me, because nobody wants to go to Five Corners' lights.

MR. PETRO: It would be a short cut for the people who live in the immediate area. Anybody who's way up here or over there to think that they're going to navigate and go through that spaghetti to come out over a quarter mile from where they would have gone anyway as I said before they must be out for a Sunday drive or something. Okay, there's nothing I can do. I'm just giving you the information, what it's going to be and that's it.

MR. HAKJ: Another thing all these letters nobody sent us a letter that we're going to have a meeting again. I just found out from one neighbor.

MR. PETRO: It's the adjoining property owners, why wouldn't he get one?

MR. HAKJ: I'm right there, I never got one.

MR. PETRO: There's 24 that were mailed out.

MR. HAKJ: I should be the first one.

MR. PETRO: It's possible something could be lost in

the mail, they used to go out certified.

MR. HAKJ: A lot of people didn't know, that's why people didn't show up, couple people knew.

MR. BABCOCK: Well, there's 24 people.

MR. HAKJ: They'll spread the word. If I knew about it, I would tell six houses on my block.

MR. BABCOCK: If you live on that corner lot you should of definitely been notified again.

MR. HAKJ: I never got one.

MR. BABCOCK: Rut you're the original purchaser of that lot?

MR. HAKJ: Yes.

MR. BABCOCK: Were you notified last time?

MR. HAKJ: No and it's not fair, I just heard in the neighborhood I never got the first letter. Now the second one which is even more important because last time I heard from the neighbors and they said we were happy, we heard you mentioned the crash gate, we were happy. Now I never received a letter till I heard yesterday and we tried to alert people around there and it was short, that's why nobody showed up.

MR. ARGENIO: The important thing is you're here tonight.

MR. PETRO: If you had 20 other people, frankly, it's not going to change anything. I can understand, I can listen and I don't disagree with what you're saying or the young lady there.

MR. ARGENIO: All three people that the Chairman

mentioned, the Chief of Police, the Town Highway Superintendent and the Fire Inspector have deemed it a public safety, health and welfare issue. At that point, we as a planning board can't go against them, it's a safety issue, these are the professionals that we have elected to do this function in our town. They have determined it's a public safety, health and welfare issue.

MR. PETRO: Okay?

MR. HAKJ: Thank you.

MR. PETRO: Is there another subject? I guess that's the only reason we're here so.

MS. KELEIT: Since we have two entrances, is it for the other development?

MR. ARGENIO: No, it's for both, it's for the benefit of both developments so there can be crossover traffic in the event of an emergency, a snow emergency, a police, any of these things, these folks deal with this all the time, day in and day out that it happens and we don't hear about it but they do it every day.

MR. PETRO: Okay. Motion to close the public hearing?

MR. ARGENIO: So moved.

MR. CAPPELLO: Can we read the letters?

MS. GOMEZ: Betty Gomez, 2401 Settlers Ridge. Where is the water line and where is the sewer line going to go? Is it going through the same entrance that you're saying that there's supposed to be a crash gate now? It's not, it's going to be a through way.

MR. WEINBERGER: No, the water line, the applicant proposed to go through down to Dean Hill Road through

the sports complex and the sewer is also going to be collected through an area and also going to the pump station down and Dean Hill Road, it's never been proposed nor is it being proposed now.

MS. GOMEZ: It was proposed last time. The thing is I couldn't especially see where the water and the sewer line was being connected, I thought it was behind my house.

MR. WEINBERGER: There's an existing municipal easement for water that does abut our property and there's discussion to eventually tie those two together, I don't believe and I don't want to, I don't believe that's the initial plan, the initial plan is not to hook them up at this point but to have them in the future to be hooked up sometime in the future.

MR. BABCOCK: But what the plan is is basically have a connection there, a water connection with a valve and then at some day when all these projects are done open up all the valves so everybody can get water from every development from any direction for fire flows.

MS. GOMEZ: Thank you.

MR. PETRO: Walt Koury, Chief of Police, May 22, 2003 and this is small, I have reviewed the roadway plan for the proposed Meadowbrook Estates development and recommend this as a second ingress egress road be designated, such road will be necessary for our emergency response units should the current entrance from Route 94 become blocked and a second emergency further in the development may occur. And the third one is from the Fire Inspector on 2 May, 2003. It is in my opinion and almost identical, I'm sorry, the Fire, first one was from Henry Kroll, Highway Superintendent, signed Henry Kroll, Highway Department. Any other comments from the board members? Entertain a motion to close the public hearing.

MR. ARGENIO: Motion to close.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Meadowbrook Estates.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I don't think there's any further review, I think we're pretty well done with that.

MR. EDSALL: Yes.

MR. BABCOCK: For tonight at least.

MR. PETRO: Thank you.

MR. EDSALL: Just as a point of information, it's not as if they're not making any progress, we spent the afternoon with him working on some pump station information for the sewage so we're continuing to coordinate water line routing so it won't impact the Town's park and it works out so we're, we have been busy on the sidelines trying to get some things accomplished.

June 25, 2003

CHEVRON/GRETAG SITE PLAN (#03-14)

Mr. Peter Hoffmann and Mr. Joseph Valentine appeared before the board for this proposal.

MR. PETRO: Proposing to locate research facility at the Macbeth site. PI zone, proposed use is A3 so permitted use in the zone. You're going to have two separate companies using the same building, correct?

MR. HOFFMANN: Macbeth and Chevron, while the Building 1 will be shared, the larger building on the site Gretag Macbeth is the owner and will use the lion's share of the building. Chevron Texaco is moving into a portion of this facility, essentially, everything west of the main entrance north of the loading dock here they're taking this corner right here, they're taking all of Building 2.

MR. PETRO: But the use in the buildings, are they the same use, is it office use, is it manufacturing use, is it development of some kind?

MR. HOFFMANN: It's research, Macbeth does research with their paint products or paint and color matching, Chevron Texaco does research with fuels and they're both doing, that's the same sort of use in the building. They both have an office area, they both have a research area, Macbeth used to have manufacturing, warehousing, that's being totally phased out of this facility.

MR. EDSALL: Jim, to cut to the chase, the front building, although there's a change in the business that's occupying it, it's the same use under the code so that requires no planning board review and in fact, Mike advises me that the building permit has been issued for the renovations in Building 1. Building 2 toward the rear if it was only a change in the building occupancy that would be not a planning board issue.

The only thing, the reason they have been referred here is because at the rear of the Building 2 and you'll see it on the second sheet they're installing exterior simulator machinery where they actually do the testing so because they're introducing a new piece to the site plan, they're here, so if you want to do the board's review on that, one aspect, only change and our only concern that we and they have had provided us with great information that would lead me to the conclusion that it probably has no impact but we want you to do the same is that the vehicle simulators have cars running outside being tested and normally, you'd look at noise and pollution, but I don't believe either of those after you hear what they have to say will be a concern.

MR. HOFFMANN: This is Joseph Valentine from Chevron Texaco and he's here to act as their agent this evening, he's got some information on their current lanes, their highway test lanes that are set up in Beacon and he's done tests out of there related to noise levels. Essentially behind Building 2, we would be moving from the Beacon facility to this facility a roadway test facility. Six cars can sit on this and run around the clock, they can run for 24 hours, they can run for a month, they can run from idles up to highway speed and all they're doing is calculating the flow rate of the gas that's going through that car, they're doing research on the--let me let you talk about it.

MR. PETRO: Where do you get the gas?

MR. VALENTINE: We don't run 24 hours a day, we just used to, but we have been downsized so that we usually finish operations no later than 8 o'clock at night. Usually, just a typical work day. The cars don't run any higher than highway speeds. We have designed this so that the cars, the noise from the cars would be projected back into the woods and away from

neighborhoods and stuff like that cause we met with these folks earlier and the one concern was noise so we did some decibel testing with cars on the simulator at Beacon and then we also did some testing on Macbeth's front lawn taking readings from Route 207 just to see where we stood and I've got that, unfortunately, I've only got one copy, but you're welcome to make more copies of it and essentially, it's a mileage accumulation system, just it allows us the opportunity to accumulate mileage on six cars running different fuels with exactly the same conditions, same weather, same everything and it gives us good data and we won't have to be out on the streets doing it. So again, I realize the noise is probably the biggest issue.

MR. PETRO: Well, I look at this aerial view that you've done which is pretty good because as everyone can see, there's not too much around there to start with.

MR. VALENTINE: It's really a great opportunity for us.

MR. PETRO: They can't get closer to what they own and looks like it's a good few hundred feet.

MR. VALENTINE: If you scale the distance onto a topo map, it's about 550 feet to the nearest neighbor sideways. So we plan on keeping the existing trees and there's a berm near the simulator area that we want to keep, we want to be have the minimum amount of intrusion into the neighborhood that we possibly can and with the lay of the land, it worked out pretty well so but we do, they'd need that 150 by 100 foot outside area to do what we need to do.

MR. PETRO: Is it completely enclosed?

MR. VALENTINE: No, we plan on putting a roof but all the sides will be open.

MR. PETRO: Why don't you enclose it and contain the sound?

MR. BABCOCK: They want the weather conditions.

MR. SCHLESINGER: Who simulates the weather conditions, is that mother nature?

MR. VALENTINE: We don't simulate those, we have an emissions lab that we'll simulate the conditions but it's very expensive to do that with a vehicle that runs cause it generates so much heat. To do it outside is just millions and millions and millions of dollars, only two or three of those in the country, so for us to do it as long as each car sees the same weather, we're okay with it, we can get data that we can compare.

MR. PETRO: Where is all the exhaust, just goes in the air?

MR. VALENTINE: Yeah, just goes in the air. These are not modified cars, they're going to be the same cars that are out on the street, we don't, all the catalytic converters are hooked up, we monitor constantly, we really keep track of the emissions and everything else so they have to be up to specs or we can't run them.

MR. BABCOCK: Also one point Bobby Rogers went and visited their facility across the river and one of the things he said to me was that it's a first class operation and the noise levels are nothing more than the cars going down Little Britain Road. It's something you don't even know you don't, you're just so used to it.

MR. PETRO: Somebody's car driving around the parking lot, it's not like there are loud mufflers, they're just normal cars that are running, running a little higher RPMs than a regular car.

MR. VALENTINE: About 50 miles an hour.

MR. SCHLESINGER: Check fuel efficiency.

MR. VALENTINE: We make deposit control additives, we take cars and make them dirty inside and get our chemist to design additives that will clean them up. We take two cars with dirtied up fuel and put our magic stuff in the other two cars and run that and we take the engines apart and see which one's cleaner, we use boroscopes (phonetic) so we can check the engines periodically right on the simulator, pull out a fuel injector so it's, that's what we do, but essentially, we're making deposit control additives.

MR. SCHLESINGER: You want to make cars run dirty.

MR. VALENTINE: We just have to dirty them up so they equal what's out on the street.

MR. SCHLESINGER: But you're creating vehicles that have unacceptable emissions.

MR. ARGENIO: I think the dirt he's creating is inside the motors.

MR. SCHLESINGER: But that creates also bad emissions.

MR. VALENTINE: Well, sometimes it does, sometimes it doesn't, sometimes you don't get 'em dirty enough to, well, actually, I guess you don't really violate the emissions cause the catalytic converter takes care of that.

MR. SCHLESINGER: We're not going to have any vehicles that wouldn't, let's put it this way, pass an emissions test?

MR. VALENTINE: No, no.

MR. EDSALL: They're no worse than what's on the road.

MR. VALENTINE: Exactly, that's how we make our money is clean up the cars.

MR. SCHLESINGER: We don't want you to create it.

MR. VALENTINE: When I say we use a dirtied up fuel, it's not like we're putting diesel fuel into a gas engine, there are fuels that will dirty your car up, I can't name them right now, but they're not ours. So we pick up those types of fuels, they're store bought fuels, but they don't have much additive in them, if any, and we can use those, dirty up the engines.

MR. MASON: What type of chemicals are going to be there, small quantities?

MR. VALENTINE: Yes, small quantities. Beacon was in business since 1931 and over the years, we have managed to get 1,200 people in the plant. We're down to about 30 now. So we have a chemical lab in the front building which Peter alluded to before that's well underway. So essentially, we've got a small chemical lab. We typically don't use anymore than five gallons of something in the lab no. In the back, if you look at the drawing, you'll see there's storage tanks because of the vehicle testing we need not large quantities but quantities of what we call base fuel stuff that we can use and then add things to. So we're proposing to put three 3,000 gallon STIP, three fuel tanks in the back along with one diesel tank that's concrete encased.

MR. MASON: Do you have sections like for the food industry there's a health department, do you guys have a monthly, somebody come around and check the tanks?

MR. VALENTINE: Absolutely, we have a gal who used to work for us and now she's on her own, but she's hooked

in with DEC, she's been to New Windsor several times and all our permitting is up to snuff, she's very tough.

MR. MASON: Is it a monthly or yearly inspection?

MR. VALENTINE: I can't tell you exactly what the frequency is but all I can tell you is we comply with every code there is. We don't try to side track anything. It's, as you said, it really is a class operation.

MR. PETRO: I need a motion for lead agency.

MR. ARGENIO: So moved.

MR. MASON: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Chevron Texaco site plan amendment.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should determine for the record if a public hearing should be required for this site plan under its discretionary judgment. Looking at this picture, you're so far away from everything and you're so far located into your own properties, Tom, do you see this down here?

MR. KARNAVEZOS: I did not, I pretty much know the site.

MR. PETRO: It think that it will not be necessary to have a public hearing with this minor amendment for the size of the property and they're pretty well far away, you said 500 feet?

MR. VALENTINE: About 500 feet to the nearest house.

MR. EDSALL: Based on the memo I've been provided a copy with from Chevron dated June 2, it would appear that anything beyond 200 foot really would be a much lesser noise than what you would get as background noise from Route 207 for anyone in that area.

MR. PETRO: We're 2 1/2 times that.

MR. EDSALL: It doesn't seem to be a--

MR. PETRO: Motion to waive the public hearing.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the Chevron Texaco site plan. Any further discussion? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: We have Highway approval on 6/23/2003 but we have Fire is approved but we need a fire hydrant location for Building 2 must be relocated or--

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MR. HOFFMANN: We have a fire hydrant right at Building 2 right here.

MR. PETRO: Or an additional hydrant must be provided near fire access road.

MR. EDSALL: You may want to make any approval subject to verification that they find the location acceptable.

MR. ARGENIO: Bobby Rogers.

MR. EDSALL: Bobby's retired so we'll pass it on to the new guys.

MR. HOFFMANN: This is Building 2 and there's the fire hydrant 20 feet from the building.

MR. PETRO: Must be relocated or additional hydrant must be provided near fire access road, in other words, maybe he can't get to it where it is. You're going to have a new access road?

MR. HOFFMANN: No, we're not putting a new access road, paved drive, maybe.

MR. ARGENIO: New paved drive maybe, says new paved drive.

MR. EDSALL: There's going to be fire inspectors out there to inspect the tanks, the protection on the tanks, the fire suppression system, if they want a hydrant, they'll say so.

MR. ARGENIO: Subject to, subject to his acceptance, be it a relocated hydrant, whatever it is.

MR. PETRO: Turnaround must be provided at the end of the parking lot.

MR. HOFFMANN: Okay, we can do those.

MR. ARGENIO: Mark, is there anything going on with item number four or is that just informational?

MR. EDSALL: Just let you know I don't really, the tax one, I just thought I'd raise because I didn't understand it, there's several tax lots which I don't know if you acquired these a piece at a time.

MR. HOFFMANN: Macbeth did, it wasn't even Macbeth, it was Kolmorgen Macbeth. At that time, there was four pieces, actually, if you look at the property, the main Building number 1 would be sliced by that, by two of the pieces of property. It's my understanding from talking with Gretag Macbeth is that the lots have never been consolidated.

MR. EDSALL: So at this point, 36 and 37.1 cut through Building 1?

MR. HOFFMANN: Yeah, I guess that's correct.

MR. EDSALL: And really where is the line of the back of 36 relative to the site plan?

MR. HOFFMANN: My understanding there's a lot line running this way and a lot line running this way creating two lots and then another lot line running from here to there.

MR. EDSALL: Vicinity map's reversed, that's what the problem is.

MR. HOFFMANN: I photocopied the tax map and it's reversed.

MR. EDSALL: Does it run, looks basically like this?

MR. HOFFMANN: Yes.

MR. EDSALL: What we should probably do since it appears that 37.1 and 36 cause a problem cause they cut through the building, they should at minimum join those two lots and then if you want to keep the other lots, I don't know if they cut through a building if you want to keep two lots, so you have a back and front lot, you really should create an easement so if you sell anything off, we don't have your people and we don't have a problem to deal with in the years forward.

MR. HOFFMANN: We'll take that back to Macbeth.

MR. EDSALL: If you want to leave that to Andy and I to come up with what's probably the best way to do it. If it's a consolidation, it doesn't need a separate plan approval, you have to re-file a new description deed.

MR. ARGENIO: So it's two lots that come, you want two lots to come out front and rear and the easement?

MR. EDSALL: Or one lot.

MR. KRIEGER: I don't see why it shouldn't be one lot if you're relying on the parking and all the things so why shouldn't it be one lot?

MR. EDSALL: Either alternative I think is reasonable, they may corporate-wise not want to if the back parking lot supports the back building, they may want to have the option of being able to sell that so we'll talk to you more but I just I think it's something that they need to be cleaned up. Good time for it.

MR. PETRO: Anything else anybody? If not, I'll entertain a motion for final approval.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Chevron Texaco site plan amendment subject to the fire inspector and Macbeth and Chevron getting together on the hydrant location, the turnaround lane, the turnaround must be provided at the end of the parking lot and that the lots be either combined or easement be in place to satisfy Mr. Edsall and Mr. Krieger. Any problem?

MR. HOFFMANN: No.

MR. PETRO: Any additions or corrections?

MR. HOFFMANN: We'll take that back to Macbeth.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

STEVENSON LUMBER (#03-15)

William Dodge, P.E., and MR. Larry Vaholock appeared before the board for this proposal.

MR. PETRO: Proposal is for a one story steel storage building, PI zoning district in the Town. The use exists and continues with the additional building. Issues appear to be very limited to the building placement and access. The board may wish to inquire why there are two tax lots and why they should not be combined.

MR. DODGE: First off, my name is Bill Dodge, I represent Chazen and this is Larry Vaholock representing Stevenson Lumber and he can address the parcel.

MR. VAHOLOCK: There's two separate mortgages, sir, that's the issue held by two different institutions.

MR. PETRO: Where is the lot line? It's far enough away from the building, correct?

MR. DODGE: It's right here and its presence doesn't create any non-compliance issues.

MR. PETRO: Not going through a building?

MR. DODGE: No.

MR. PETRO: Why don't you give us a quick overview?

MR. DODGE: Okay, right now, there are two tax parcels, there's a triangular piece here, rectangular piece here, both are accessed off of Argenio Drive from Ruscutti Road in this way, they don't have direct frontage on the road. It's an existing lumber retail and wholesale distribution.

MR. VAHOLOCK: Distribution center for professional contractors, it's really not a retail site per se.

MR. DODGE: Right now, there's a number of existing structures on the site, most of which provide storage for building materials and one of the buildings has offices in it. The proposed building is a steel structure proposed again to house lumber, building material and it's not intended to be an environmentally controlled building, it's just--

MR. PETRO: You realize it's going to need to be sprinklered?

MR. DODGE: Okay.

MR. PETRO: Did you know that?

MR. DODGE: No.

MR. VAHOLOCK: Regardless of whether it's occupied?

MR. PETRO: Well, yes, but Mark, excuse me, they're talking about just that sprinklered?

MR. BABCOCK: I don't know.

MR. ARGENIO: I'm a minority shareholder in Argenio Brothers and New Windsor Equipment Rentals, which is the property to the south. As such, I will not participate in the vote. I will abstain but I won't abstain from discussions because I have knowledge of the site and the area and the lay of the land.

MR. PETRO: We're not sure, why don't we table that, it's not a planning board issue, I'm just letting you know that it is a possibility because--

MR. VAHOLOCK: Yeah, this building, no environmental control system, it will not be occupied, it's just to

store high value lumber products.

MR. PETRO: I think that you will need to get that situated just making you aware because I build things too and I don't like surprises, especially expensive ones.

MR. ARGENIO: Is it going to have walls or is it just like a roof?

MR. VAHOLOCK: No, it will be a complete enclosure.

MR. PETRO: Well, we have a term that we use and that's structure and to me, that's a structure and if the fire department looks at that as a structure, you may need relief from that. I'm not saying you can't get it but to me, it's a structure, but it doesn't make sense so you have a good shot as far as I'm concerned but lot of times logic doesn't prevail. This is not for retail so you're not showing parking. This is strictly for storage of material, building materials.

MR. VAHOLOCK: That's correct. There's a rail line, a spur line that comes in, we would directly offload there from the warehouse.

MR. PETRO: Mike, the parking requirement as the entire building is for storage, we're not saying any portions for employee parking because they have other on-site parking.

MR. BABCOCK: It's basically the way we looked at it, yes.

MR. PETRO: I agree, if it was the only one there then somebody has to go to the building, unlock it and park, but being there's other parking spots, okay, we're all in agreement, there's no problem. The lighting, just what, wall-mounted?

MR. DODGE: Yes.

MR. PETRO: Basically you're internal of your own property, other than the weirdos off to the southeast there. Do you have any problem with the lighting as such?

MR. ARGENIO: I don't have a problem with anything. The only thing I'm thinking though if you have to sprinkler that and I think you're going to end up having to sprinkle it because that's why I think there's two buildings there instead of one, if it does come down to this, why wouldn't you just combine the two buildings that are there now? It would seem to me it would make more sense if you combine, it would give you the same amount of square footage as the building you're proposing.

MR. VAHOLOCK: Those are basically the way they're represented, they did appear to be buildings but they are pole sheds just with a roof on it, telephone pole construction, they're not enclosed.

MR. ARGENIO: And your new building is going to be heated or not?

MR. VAHOLOCK: Not going to be heated.

MR. PETRO: We're back to the non-planning board issue but again, we're talking about it, I think he's right, I think the law may state that you're probably going to have to have it sprinklered, but I think you've got a case to get a waiver from that, again, common sense should prevail.

MR. ARGENIO: I don't think that originally when those other two buildings went up, I don't even think they attempted to ask for a waiver, I think that Greg got a little pissed that they told him you have to sprinkler it and he said well, I'll just build two buildings and

screw you. I think, I don't know, I don't have intimate knowledge of that, but I think I was on the planning board then, I don't remember.

MR. SCHLESINGER: Operation, strictly wholesale operation?

MR. VAHOLOCK: Yes.

MR. SCHLESINGER: I can't come buy a 2 x 4?

MR. VAHOLOCK: Yes, he could come to the main office building here where there's parking and you could buy a 2 x 4 and nails but we're not a retail site, it's not our forte, we don't pretend to do that, it's really a major distribution center down into the Westchester area.

MR. PETRO: Motion for lead agency.

MR. KARNAVEZOS: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Stevenson Lumber site plan amendment. Is there any further discussion? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	ABSTAIN
MR. PETRO	AYE

MR. PETRO: Remind anybody who's interested that we have five members and it takes three to have a quorum. Planning board should determine for the record if a

public hearing would be required for this site per its discretionary judgment. Gentlemen?

MR. KARNAVEZOS: I move we waive the public hearing.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Stevenson Lumber site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	ABSTAIN
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. KARNAVEZOS: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under the SEQRA process for the Stevenson Lumber site plan amendment.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	ABSTAIN
MR. PETRO	AYE

MR. PETRO: We have Highway approval on 6/23/2003 and

Fire approval on 6/18/2003. Now there's something he's got this approval, well, when you go to get a building permit, they may pick up on it when you put your plans in. Mike, you'll talk to Mr. Lacassi (phonetic also, right, and I think it's the favor of the board that it's not our call but just giving that you information.

MR. BABCOCK: If the code requires it, then they'll have to submit a request for a waiver from the Bureau of Fire Prevention and if they're successful in getting the waiver, they don't have to put it in, if the code doesn't require it, then we'll go from there.

MR. PETRO: Okay, anything else, Mark?

MR. EDSALL: No, it's fine.

MR. PETRO: Motion for final approval.

MR. SCHLESINGER: So moved.

MR. MASON: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Stevenson Lumber site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	ABSTAIN
MR. PETRO	AYE

MR. PETRO: Thank you.

DISCUSSION

PATRIOT ESTATES (01-66)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Proposed residential subdivision also going to be followed by Patriot Bluff. Mr. Argenio, you have something you want to say first?

MR. ARGENIO: I'm going to, again, I am a minority shareholder in Argenio Brothers, we currently have a contract to perform the site work on New York State Route 32, that's the improvements to access the Patriot Estates and the Patriot Bluff. We also have a contract to do limited work on-site, I'm not sure exactly what's included in the scope, I think there's some walls or maybe some drainage work but in any event, as such, I will abstain from any discussions or votes relative to this issue at this point in time.

MR. PETRO: And also for myself, I have been asked and/or directed by the New Windsor Ethics Board not to participate, therefore, I will turn this meeting over to Mr. Schlesinger who will run this meeting and I will step down.

(Whereupon, Mr. Petro and Mr. Argenio stepped down from the board for this discussion item.)

MR. SCHLESINGER: Mr. Shaw, why are we here?

MR. SHAW: It's probably been about eight, nine months, maybe even 10 months since the last time we came before this board. The last time we were here both for this project and for Patriot Bluff, we got concept approval of the layout and we pretty much wrangled with the layout of the units, the roads and the density and other matters and this lot has changed, very little has

changed since then but seeing that it's been a while, I thought I'd stop before this board and just give you a quick update. As you can see on the plans the areas that are shaded in are Federal jurisdictional wetlands, you have the Army Corps of Engineers on the site to walk the delineation and they have concurred with this. We have made a submission down to the Army Corps of Engineers to get a permit from them to fill just shy of one half an acre of Federal wetlands, we got the review comments, I believe the Town got a copy of them also and we're in the process of working on those comments in order to obtain that permit. Where the permit primarily comes into play is the extension of Ephiphany Drive from the approved cul-de-sac on the previous application, which is further to the east of this parcel here and the extension of Epiphany Drive and we're going through the wetlands, the previous plan that was submitted to the board showed the road crossing the wetlands in a narrower portion because we were proposing a lot line change with Mr. Petro. That's now off the table, the road is entirely going to stay on our property and unfortunately, that means more environmental disturbance of the wetlands, that's why we're down to the Army Corps. There's also another piece of small wetlands which we're putting in a private road between lots 10 and 11 at the extremity of the site. Again, the lot count I believe is 31 lots, that has not changed, the roadways have not changed. One thing that has changed and if you just take a look at the detail, again, because we're crossing the wetlands and we're trying to minimize the amount of fill in the wetlands we're building this town road between two masonry retaining walls, if you can just imagine a 30 foot wide road a little flat area from the curbed line out and grass embankment you're going to be disturbing actually filling a lot more wetlands than if you just have a vertical line that's the face of the wall. So this has been proposed, it's going before the Town engineer and the Highway Superintendent and it's been accepted by them. So again that's a slight change

to it. And at this point in time right now, we have been directed to have a full movement interconnect with Park Hill Drive that's still on the table. If the Town of New Windsor wishes to have something different we'd be more than happy to follow their wishes. But right now, we have been instructed to leave it as a full movement connection, that is what the plan reflects. So the purpose of it was just to stop by, give you an update cause it's been a while. The talk about the wetlands that we're pursuing to talk about the road cross-section as we go through the wetlands and again once we leave the shaded area, we'll go back to a conventional town road system and also the review comments by the Army Corps of Engineers.

MR. SCHLESINGER: Okay, the private road at the end of the cul-de-sac, that's a new addition, that's something new?

MR. SHAW: No, that was on the plan the last time we were before the board, there's nothing different on the plan with respect to roads and lots, other than the fact that we're now taking Epiphany Drive and not putting it on the lands of Petro, but putting it entirely within our property.

MR. SCHLESINGER: Comments were forwarded to Mark by the Army Corps of Engineers. Mark, you got the comments, right?

MR. EDSALL: Yes, it was really what triggered the discussion about coming in and giving the board the update is that the Army Corps has responded.

MR. SCHLESINGER: And you reviewed that or you--

MR. EDSALL: It's purely a matter of once Greg gets the permits and one of the issues that we have been working on was limiting the amount of disturbance to the wetlands and that was the catalyst for this modified

road cross-section with the retaining walls is to decrease that environmental disturbance to respond to the Army Corps and the Town has approved this and Greg is moving forward for that finalizing those approvals.

MR. SHAW: The reason it's been a while since we've been before the board is that when we left the board the last time, the board was happy with the layout of the lots and the roads. We had a hurdle in front of us which is the Army Corps of Engineers, we have to get a permit from them, so we left the board and went to the Army Corps of Engineers and we have been working trying to get the permit in hand so we can come back to this board and say it's a done deal, we have the permit. When we got the review comments and if you and if Mark read them in detail, they're quite lengthy and what the Army Corps basically is saying we'll give you the permit when we're satisfied but we primarily want 90 percent of the engineering work done in order to satisfy us. We're not at the 90 percent mark so that forces us to come back to this board and now proceed with doing the finalizing of the design of the site in order to make this board happy then submit it to the Army Corps so we won't be getting a permit only because of the information that they want in order to grant the permit so we have homework to do so we're back here reintroducing ourselves and trying to get the new board members back up to speed to where we were 9, 10 months ago.

MR. EDSALL: The other item that was discussed is that because the Army Corps is now requiring effectively completed plans before them issue a permit, Greg wanted to make sure that there were no other changes that were desired because if those changes were introduced at the tail end, it would put the environmental permitting into a tail spin.

MR. SHAW: We don't want to march down the road, get 95 percent of the engineering work, satisfy the Corps and

find out that the board has a problem.

MR. SCHLESINGER: Okay.

MR. EDSALL: Greg, just before I forget about it, one other issue, is Mr. Hildreth the surveyor on this?

MR. SHAW: No, he's not.

MR. EDSALL: When you get into the finalized surveys because it's been determined that the Park Hill Drive will be connected into this project as a through road, we need to make sure we have the correct alignment with Park Hill right away.

MR. SHAW: I concur, we have authorized the surveyor who has taken over the project and who's doing really all the stakeouts for Patriot Ridge down below to come up with all new planametrics, topography, utilities and right-of-way line for the connection for the point you made.

MR. EDSALL: We have two issues, one to properly align and two because we'll be eliminating that half cul-de-sac or bubble as it may be, we'll have a roadway abandonment to take before the Town Board so we'll want to have good boundary data on the fringe so that as we make the alignment, we can determine what portions are subject to the Highway Superintendent and the Town Board that we'd do a road abandonment.

MR. SHAW: And that's being generated now.

MR. EDSALL: Okay.

MR. SCHLESINGER: Any other discussion?

MR. SHAW: We'll move on then to Patriot Bluff.

PATRIOT BLUFF (01-65)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: Again, we're coming before the board similar to the previous application, just to do a quick run-through and reintroduce this project to the board. Again, when we left this board the last time, we pretty well hashed out the road layout, layout of the buildings, the visitor parking, which is substantial in this case, the refuse enclosures, the locations of the storm water detention ponds and water quality ponds and really nothing on this plan has changed since the last time we were before you. So, again, it's just a re-introduction to it, we're proposing, just bear with me, 106 condominium units which will be spread out among 23 buildings. The storm drainage breaks in the ridge and discharges to two locations, one is to a proposed water quality basin and this, on this location of the site, again, this portion is Epiphany Drive as it starts heading up towards the single family homes and there will be another storm water retention pond in this particular area which is in the low point of the site. So there's really not that much more I can add to it, again, nothing has changed, it's just we're in the same position we have to start generating drawings and in finalizing our design work. We realize full well that there's a water moratorium that's presently in New Windsor so we're not going to be able to get final approval from this board for the condominium units or actually for the single family homes and these condo units because both of them need water approval from the Department of Health and there's a moratorium prohibiting the Supervisor from signing any applications in that respect.

MR. SCHLESINGER: Mark, do you have any comments?

MR. EDSALL: Well, I didn't prepare comments but the,

and I know Greg, you have a vast set of plans on this available but just refresh my memory, all these swales that you're creating in the back yard areas that are directed mainly towards the south, it looks like those can get picked up with yard drains, correct?

MR. SHAW: Yes, we have catch basins that have extended into the interior so we do not have a large mass of water flowing through the back yards, we're picking them up as we go.

MR. EDSALL: Nothing will make it over to the roadway or side lines?

MR. SHAW: No.

MR. EDSALL: That's it. As I said, Mr. Chairman, there is a vast set, this is probably one of what, 20 some sheets?

MR. SHAW: We're up to about 20 on both.

MR. EDSALL: I just wanted to refresh my memory.

MR. MASON: I have a silly question and bear with me cause I'm new. Everything here is a private road?

MR. SHAW: Yes.

MR. MASON: It's going to stat that way?

MR. SHAW: Correct.

MR. MASON: Going to be like a gated community?

MR. SHAW: Well, you can use that phraseology but there will be no gate. Different than the previous application, it's a subdivision where we created 31 lots and a road system that's going over to the Town and in this case, it's going to stay all one lot under

one ownership and that will be the condominium association and all these roadways are really private driveways for lack of a better term, the Town will not be plowing them, they will not be maintaining them, all the repair work will be done contracted out by the condominium association.

MR. MASON: Garbage is all private?

MR. SHAW: Yes and it's going to be very similar to the project under construction now which is on the hillside of Windsor Highway and Union Avenue, same developer, same condominium concept. There was I believe 102 approved there which are under construction and now we're going to extend the road system up into the single family homes and going to be coming off that into the condominium parcel.

MR. WASON: Where would the school be, just give me a general idea?

MR. SHAW: Maybe the best place to go is this drawing, this is the single family homes, this is the condominium parcel which is up there, the condominiums are not shown, they are not part of this application, this is Epiphany Drive and here's back hill, if you back up the hill maybe about 400 feet on this side, Newburgh School District right here on this side. So we're going to have a road between the lands of Petro and the Newburgh School System.

MR. MASON: Okay, thank you.

MR. SCHLESINGER: The Patriot Bluff is strictly condominiums, no private homes?

MR. SHAW: Correct, none whatsoever.

MR. SCHLESINGER: Do we have any other discussion?

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MR. EDSALL: No.

MR. SCHLESINGER: Okay, thank you.

MR. SHAW: Thank you.

PENNINGS SUBDIVISION

MR. EDSALL: We've got one item of discussion. The discussion item if we can bring your memories back to the Pennings subdivision Section 4 which is off Dutchman Drive, it was a 4 lot subdivision, it had a drainage channel running generally in a north to south direction and they had, the applicant had prepared some drainage calculations, evaluated the sides of the culverts needed to cross the driveways, has nothing to do with the private road, but we had to establish that otherwise the building department had nothing to work off of as to what would be required for access. When they made the submittal, I thought that the size which I believe was an eight or ten foot box culvert would definitely cover it, it was quite substantial. In retrospect, once they started looking at what they really showed on the plans, they asked if it was really necessary to have that size box culvert. And I told them well, that's what you have to tell us, go back and look at your calculations, but you really don't have to have a hundred year storm. Normally, you deal with maybe a 20 or 25 year storm, something more reasonable. They did look at that, they looked at some grades and the box culverts are now going to be changed to piping and I'm looking to see what the latest calculations show, I believe they're looking at five foot diameter pipes rather than the box culverts.

MR. SCHLESINGER: That's shown on this.

MR. EDSALL: It shows 60 inch ABS drainage pipe so again, it's a minor change, but the plan hasn't been filed yet so subject to the board's acceptance to any calculations show this is adequate, we really don't have any objection to it, we just want to make that correction or let them make that correction.

MR. SCHLESINGER: They're going to present that to the board?

MR. EDSALL: This is what it is, it's already been approved subject to certain other comments, but I didn't want to make this change without having the board aware of it.

MR. SCHLESINGER: Anybody have any comments?

MR. MASON: Do you think it's a good idea?

MR. EDSALL: I think that a homeowner with a ten foot box culvert it's a little ridiculous so I think ten foot was overkill, their calculations show that the five foot diameter pipe will carry adequate flow.

MR. SCHLESINGER: Do we have to make a motion?

MR. EDSALL: I think, I would think that if the board acknowledges and indicates no objection to the plan being modified, we'll take care of it.

MR. SCHLESINGER: We can just make a note that the board accepts Mark's comments and the board goes along with the Mark's suggestions.

MR. EDSALL: Fine.

MR. MASON: Make a motion.

MR. KARNAVEZOS: Second it.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE

MR. SCHLESINGER: Motion to adjourn?

MR. MASON: So moved.

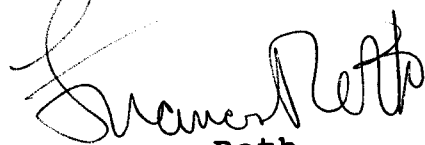
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MR. KARNAVEZOS: Second it.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE

Respectfully Submitted By:

 7/9/03
Frances Roth
Stenographer